

REMARKS/ARGUMENTS

A. Summary of the Amendment

This is a full and timely response to the non-final Office Action dated November 8, 2005. Reexamination and reconsideration are courteously requested. By way of the present amendment, claims 1, 22 to 23, 30, 34, and 41 to 42 are amended. No claims are added or canceled. Thus, claims 1 to 6, 10, 12 to 14, 16, and 18 to 43 are pending for the Examiner's consideration, with claims 1, 10, 16, 18, 30, 31, and 41 being independent claims.

B. Allowable Subject Matter

The Examiner has acknowledged that claims 18 to 33 are allowed. Applicants thank the Examiner for a thorough examination of these claims.

C. Objections to the Specification

The specification is objected to as failing to provide proper antecedent basis for the subject matter claimed in claim 30. The Examiner did not specify the particular claimed feature for which antecedent basis is lacking. However, it is believed that the current amendment overcomes the objection.

D. Claim Objections

Claims 12 to 14 are objected to as being of improper dependent form. The present amendment to claims 41 and 42 is believed to overcome the objection.

App. No. 10/792,003

Reply to Office action of November 8, 2005

E. Rejections Under 35 U.S.C. § 112, Second Paragraph

Claims 22 to 23 are rejected as being indefinite for failing to provide antecedent basis for a "turbine blade tip." The present amendment is believed to overcome this rejection.

F. Double Patenting Rejections

Claim 10 is provisionally rejected under 35 U.S.C. § 101 as claiming the same invention as that of claim 26 in copending application no. 11/013,218 (Renteria). Also, claims 10, 12 to 14, and 16 are provisionally rejected on the ground of nonstatutory obviousness-type double patenting as being unpatentable over claims 15 to 17, and 23 to 25 of Renteria. The provisional rejections are acknowledged. It is understood that upon withdrawal of the remaining rejections set forth in the office action, the obviousness-type double patenting rejection will be withdrawn unless the copending application has issued as a patent.

G. Rejections Under 35 U.S.C. § 102(b)

Claims 1 to 6, and 34 to 43 are rejected as being anticipated by U.S. Patent No. 6,475,642 ("Zhao"). These rejections are respectfully traversed. Independent claims 1, 34, and 41 are directed to MCrAlYX alloys, a turbine blade coated with such an alloy, and powders for forming coatings of such alloys, wherein Al is a relatively minor component having a weight percentage of only up to about 15% upon entry of the present amendment. In contrast, Zhao is directed to alloys in which Al is present at a concentration of 30 to 55 wt. %. For at least this reason, Zhao fails to anticipate claims 1 to 6, and 34 to 43, and it is respectfully requested that the rejections under 35 U.S.C. § 102 be withdrawn.

App. No. 10/792,003

Reply to Office action of November 8, 2005

H. Conclusion

In view of Applicant's amendments and remarks, it is respectfully submitted that Examiner's objections and rejections have been overcome. Accordingly, Applicants respectfully submit that the application is now in condition for allowance, and such allowance is therefore earnestly requested. Should the Examiner have any questions or wish to further discuss this application, Applicants request that the Examiner contact the Applicants attorneys at the below-listed telephone number.

If for some reason Applicants have not requested a sufficient extension and/or have not paid a sufficient fee for this response and/or for the extension necessary to prevent abandonment on this application, please consider this as a request for an extension for the required time period and/or authorization to charge Deposit Account No. 50-2091 for any fee which may be due.

Respectfully submitted,

INGRASSIA FISHER & LORENZ

Dated: Feb. 2, 2006By: 

David K. Benson

Reg. No. 42,314

(480) 385-5060